

AMENDED IN SENATE JUNE 15, 2005

Senate Concurrent Resolution

No. 49

Introduced by Senator Speier

May 17, 2005

Senate Concurrent Resolution No. 49—Relative to medication errors.

LEGISLATIVE COUNSEL'S DIGEST

SCR 49, as amended, Speier. Medication errors panel.

This measure would create a panel to study the causes of medication errors and recommend changes in the health care system that would reduce ~~the number of~~ errors associated with the delivery of prescription and over-the-counter medication to consumers. The measure would require the panel to convene by October 1, 2005, and to submit to the Senate Committee on Health a preliminary report by March 1, 2006, and a final by report by June 1, 2006.

Fiscal committee: no.

1 ~~WHEREAS, Medication errors annually claim the lives of~~
2 ~~over 100,000 Americans and another two million persons have~~
3 ~~nonfatal reactions that require medical attention, according to a~~
4 ~~recently published study; and~~
5 ~~WHEREAS, Up to one-half of all medications are taken~~
6 ~~incorrectly or mixed with other medications that cause dangerous~~
7 ~~reactions which can lead to injury and death; and~~
8 ~~WHEREAS, Medication errors occur in all settings in which~~
9 ~~prescription drug products are prescribed, dispensed, furnished,~~
10 ~~ordered, or otherwise provided; and~~

1 ~~WHEREAS, The current system of providing medications to~~
2 ~~patients is rapidly evolving due to changes in health delivery and~~
3 ~~payer policies; and~~

4 ~~WHEREAS, The number of available medicines approved by~~
5 ~~the federal Food and Drug Administration is increasing; and~~

6 ~~WHEREAS, Numerous studies establish that medication errors~~
7 ~~cause injury and death to patients and consumers; and~~

8 ~~WHEREAS, The Institute of Medicine estimates the cost for~~
9 ~~treatment of drug related morbidity and mortality may run nearly~~
10 ~~\$77 billion a year nationally; and~~

11 ~~WHEREAS, Research demonstrates that most injuries~~
12 ~~resulting from medication errors are not the fault of any~~
13 ~~individual health care professional, but rather represent the~~
14 ~~failure of a complex health care system; and~~

15 ~~WHEREAS, The Federal Food and Drug Agency has approved~~
16 ~~122 chemical compounds since 2002, and over 17,000 existing~~
17 ~~trade and generic names of products exist, many of which sound~~
18 ~~alike or are spelled alike; and~~

19 ~~WHEREAS, These products are also packaged and distributed~~
20 ~~in similar shapes and forms; and~~

21 ~~WHEREAS, The demand for prescription drugs is expected to~~
22 ~~substantially increase; and~~

23 ~~WHEREAS, Medication errors occur in all settings in which~~
24 ~~prescription drug products are prescribed, dispensed, furnished,~~
25 ~~ordered, or otherwise provided; and~~

26 ~~WHEREAS, Many factors contribute to a poor understanding~~
27 ~~by many consumers and patients about their prescriptions,~~
28 ~~including frequent switching of generic brands that are each~~
29 ~~different colors and shapes so that the same drug looks different~~
30 ~~and confuses the patient making it hard to easily spot mistakes;~~
31 ~~overworked pharmacists; reduced time with physicians for~~
32 ~~patients to be given important drug information; patients seeing~~
33 ~~multiple physicians that may be unaware of each other's care~~
34 ~~plans; patients often using vitamins, herbs, and over-the-counter~~
35 ~~drugs that can react with the medications they take and that both~~
36 ~~the physician and pharmacist do not know about; and~~

37 ~~WHEREAS, Research has demonstrated that improved~~
38 ~~communication between patients and their health professionals is~~
39 ~~the most effective means of reducing errors and drug~~

1 misadventures and improving health care outcomes; now,
2 therefore, be it

3 *Resolved by the Senate of the State of California, the Assembly*
4 *thereof concurring*, That a special panel be formed to study
5 causes of medication errors; and be it further

6 *Resolved*, That the ~~Chair of the Senate Committee on Health~~
7 *Legislature* shall convene the panel no later than October 1,
8 2005; and be it further

9 *Resolved*, That the panel shall recommend improvements,
10 additions, or changes to be constructed and implemented for the
11 significant improvement of the health care system by reducing
12 errors associated with the delivery of prescription and
13 over-the-counter medications to consumers ~~and shall seek~~
14 ~~support from foundations or other sources~~; and be it further

15 *Resolved*, That the panel membership shall consist of
16 appointees of the Senate Committee on Health, the Assembly
17 Committee on Health, ~~and the Assembly Committee on~~
18 ~~Insurance~~; and be it further

19 *Resolved*, That the Speaker of the Assembly shall appoint to
20 the panel a member of the faculty of a school of pharmacy, a
21 representative of the California Pharmacists Association, a
22 representative of the California Association of Health Plans, a
23 representative of the Pharmaceutical Research and Manufacturers
24 of America, a member of the California Medical Association, a
25 member or representative of the Assembly Republican Caucus,
26 and a consumer representative; and be it further

27 *Resolved*, That the Senate Committee on Rules shall *designate*
28 *the chair and* appoint to the panel a representative of the
29 California Retailers Association Chain Drug Committee, a
30 member of the California Society of Hospital Pharmacists, *a*
31 *representative of the Generic Pharmaceutical Association*, a
32 representative of a public health organization, a member of the
33 California Nurses Association, a representative of the American
34 Association of Retired People, and a member or representative of
35 the Senate Republican Caucus; and be it further

36 *RESOLVED*, *That the members of the panel shall not receive*
37 *compensation, but shall be reimbursed from private sources for*
38 *necessary travel expenses for the purpose of attending meetings*
39 *of the panel, including any public meetings that the panel*
40 *schedules; and be it further*

1 *Resolved*, That the panel shall submit to the Senate Committee
2 on Health a preliminary report of its conclusions and
3 recommendations by March 1, 2006, and a final report of its
4 conclusions and recommendations no later than June 1, 2006;
5 and be it further

6 *Resolved*, That the Secretary of the Senate transmit copies of
7 this resolution to the author for appropriate distribution.